



Agenda Date: 5/8/01

Agenda Item: 3-A

STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

CABLE TELEVISION

IN THE MATTERS OF COMCAST)
CABLEVISION OF MONMOUTH COUNTY,)
INC. AND COMCAST CABLEVISION OF)
MONMOUTH COUNTY, INC. – FREEHOLD)
FOR APPROVAL OF THE FILINGS OF FCC)
FORM 1240, AN ANNUAL UPDATING OF THE)
MAXIMUM PERMITTED RATE FOR THE)
REGULATED BASIC CABLE SERVICE USING)
THE OPTIONAL EXPEDITED RATE)
PROCEDURES)

ORDER ADOPTING STIPULATIONS

DOCKET NOS. CR00090665
CR00090666

(SERVICE LIST ATTACHED)

BY THE BOARD:

On October 2, 2000, Comcast Cablevision of Monmouth County, Inc. and Comcast Cablevision of Monmouth County, Inc. - Freehold ("Petitioner") filed Federal Communications Commission ("FCC") Form 1240, Docket Numbers CR00090665 and CR00090666, seeking approval by the Board of Public Utilities ("Board") for an annual rate adjustment in its maximum permitted rates resulting from an adjustment for inflation, programming costs and copyright fees pursuant to the Cable Television Consumer Protection and Competition Act of 1992, 47 U.S.C. § 543 *et seq.*, and provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 *et seq.*

The Board, at its public meeting on January 10, 1996, in Docket Number CX95120636, approved the implementation of Optional Expedited Rate Procedures for the processing of certain filings made with the Office of Cable Television ("OCTV"). The intended purpose of these procedures is to grant final rates as quickly as possible to any cable company that chooses this process. In the spirit of cooperation based on the principles of Alternate Dispute Resolution ("ADR"), the discovery content is limited, thereby reducing the timeframe for settlement.

Petitioner chose to pursue its filings with the Board through the approved procedures. To that end, a pre-transmittal conference was held on November 2, 2000 and attended by representatives of the Petitioner, the Division of the Ratepayer Advocate and Board Staff. Petitioner agreed to waive its Office of Administrative Law ("OAL") litigation rights for these matters. It should be noted that Petitioner's waiver was a knowing, voluntary and intelligent waiver of its litigation rights at the OAL and that the waiver did not constitute a circumvention of the FCC rules nor did it affect Petitioner's right to appeal in that forum.

Petitioner notified its customers of the rate changes by way of newspaper announcements informing them of their opportunity to submit written comments to the Board for a period of thirty days. The notices appeared in the Asbury Park Press on February 16, 2001 for both systems. During this time, one comment was received for the Monmouth system as a result of these public notices.

Upon review by Staff and the Ratepayer Advocate of the supporting documentation, schedules and other discovery requests, a settlement conference was held on November 13, 2000. On March 28, 2001, the parties entered into Stipulations of Settlement.

The Board has reviewed the Stipulations and FINDS them to be reasonable, in the public interest and in accordance with the law. Therefore, the Board HEREBY ADOPTS the Stipulations of Settlement (attached hereto) as its own, incorporating by reference the terms and conditions therein as if fully set forth at length herein.

DATED: May 9, 2001

BOARD OF PUBLIC UTILITIES
BY:

(signed)

CAROL J. MURPHY
ACTING PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

ATTEST:

(signed)

FRANCES L. SMITH
SECRETARY

IN THE MATTER OF

COMCAST CABLEVISION OF MONMOUTH COUNTY, INC.
COMCAST CABLEVISION OF MONMOUTH COUNTY, INC. - FREEHOLD
FCC FORM 1240 USING THE OPTIONAL
EXPEDITED RATE PROCEDURES

DOCKET NUMBERS: CR00090665, CR00090666

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